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APR 28 2008

REMARKS

Favorable reconsideration of this application is requested in view of the above amendments and the following remarks. Claims 1-19 are pending. The revisions to claims 1 and 13 are supported, for example at pages 12-14 and Fig. 3.

The specification has been amended as requested.

Claims 1-5 and 13-16 have been rejected as anticipated by Miyazaki. Applicants respectfully traverse this rejection.

In the method of claim 1, the first response, for use in calculation necessary for analyzing the sample, is measured after the sample has been introduced to the reaction field. A second response, for use in determining whether a target amount of the sample has been supplied to the reaction field, is measured after the measurement of the first response. As discussed at pages 18-19 of the specification, this is advantageous since the accuracy of the sample measurement is not deleteriously affected by the detection related to the target amount of the sample.

The rejection considers the step S8 in Fig. 5 of the reference to qualify as the "first step" of claim 1. However, as discussed at lines 9-11 of col. 11 of the reference, the sample is not introduced until step S11. Therefore, the step S8 is performed before the sample is introduced to the reaction field and does not qualify as the claimed "first step" carried out by the method of claim 1. Moreover, it can be seen that the step for determining the quantity of the sample is carried out at S14-20. The substantive sample measurement is carried out thereafter (beginning at S24). Thus, the method of the reference is opposite what claim 1 requires and the method claims are allowable. The apparatus of claim 13 requires a selector that controls the order of measurements in a manner tracking that of claim 1; and therefore the apparatus claims are allowable for at least the same reasons. Applicants are not conceding the relevance of the reference to the original claims 1 and 13.

Applicants appreciate the indication of allowability for claims 6-12 and 17-19. The remaining claims are allowable for the reasons set forth above.

In view of the above, Applicants request reconsideration of the application in the form of a Notice of Allowance.

Respectfully submitted,

HAMRE, SCHUMANN,  
MUELLER & LARSON, P.C.  
P.O. Box 2902  
Minneapolis, MN 55402-0902  
Phone: 612-455-3800

Date: April 28, 2008

By   
Name: Douglas P. Mueller  
Reg. No. 30,300  
Customer No. 52835